

Application Serial No.: 10/799,460  
Attorney Docket No.: 0160115

### REMARKS

This is in response to the *Non-Final* Office Action of August 23, 2006, where the Examiner has rejected claims 1, 2, 5-6 and 13-16, and has allowed claims 7, 8 and 11-12. Applicant acknowledges and appreciates the Examiner's statement regarding allowance of claims 7, 8 and 11-12. By the present Amendment and Response, applicant has amended claims 1 and 13, and added new claims 17-19. After the present Amendment and Response, claims 1-2, 5-8 and 11-19 are pending in the present application. Reconsideration and allowance of outstanding claims 1, 2, 5-6 and 13-19 in view of the following remarks are requested.

#### **A. Rejection of Claims 1, 2, 5-6 and 13-16 under 35 USC §101**

The Examiner has rejected claims 1, 2, 5-6 and 13-16, under 35 USC §101, as being directed to non-statutory subject matter.

By the present amendment, applicant has amended independent claim 1 to recite "A method of using a microprocessor for improving pitch determination ...." Further, applicant has amended independent claim 13 to recite "A speech coding device including a microprocessor for improving pitch determination." Therefore, applicant respectfully submits that independent claims 1 and 13, as amended, are now directed to a statutory subject matter, under 35 USC §101.

Accordingly, it is respectfully submitted that independent claims 1 and 13, as amended, and their respective dependent claims 2, 5-6 and 13-16, should now be found to be in condition for allowance.

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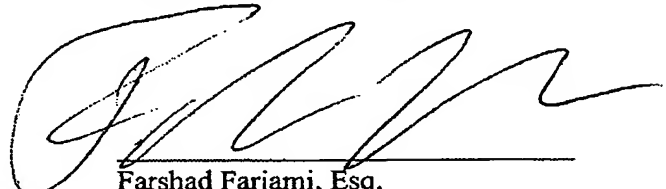
**B. New Claims 17-19**

By the present amendment, applicant has added new dependent claims 17, 18 and 19, which depend from independent claims 1, 7 and 13, respectively. Applicant respectfully submits that claims 17, 18 and 19 should be allowed at least for the same reasons stated above.

**C. Conclusion**

Based on the foregoing reasons, an early Notice of Allowance directed to all claims 1-2, 5-8 and 11-19 pending in the present application is respectfully requested.

Respectfully Submitted,  
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